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Five Perspectives on the Mérida Initiative: What It Is and Why It Must Succeed

By Henry Cuellar, Robert "Bobby" Charles, Roberta Jacobson, Armand Peschard-Sverdrup, and Ted Brennan

Drug abuse and related crime claim nearly thirty-five thousand American lives and sap $180 billion from our economy every year.[1] Although the United States is understandably preoccupied with the threat of Islamic terrorism, it must never let down its guard against the well-financed, bloodthirsty, illicit drug cartels that exact a staggering price on our well-being and economy. President George W. Bush's fiscal year 2009 budget proposes to spend well over $14 billion for federal programs to suppress demand and attack supply. Because most cocaine and heroin find their way to the U.S. market through Mexico, it is essential that Mexican authorities confront the illegal drug syndicates whose cross-border crime threatens both countries. The Mérida Initiative—named for the Yucatan city where Bush, then-president of Guatemala Óscar Berger, and Mexican president Felipe Calderón met in March 2007—proposes to make a $1.4 billion multiyear U.S. contribution to support Mexican law enforcement and judicial reforms in their antidrug efforts. The challenges are formidable: Mexico's relatively weak judicial institutions are hard-pressed to take on these well-heeled gangsters on their own, and both sides are protective of their national sovereignty. Nevertheless, both countries have signaled their commitment to this cause: at a February 7, 2008, hearing, the Drug Enforcement Agency's chief of intelligence, Anthony Placido, praised the tangible measures being taken and sacrifices being made by Mexico today and urged skeptical U.S. lawmakers to seize the opportunity to cooperate with Mexican allies against a common foe. Despite heavy media focus on the counternarcotics elements of the initiative, when the specifics of the initiative are examined, it is clear that its aim is to strengthen Mexico's security institutions, enabling them to deal with the threat nonstate actors—be they terrorists, organized crime, criminal gangs, or domestic radical groups—pose to the country's security.

The authors of this Latin American Outlook *were discussants at a November 8, 2007, AEI event that outlined the Mérida Initiative and discussed the dynamics in both countries that will impact the success or failure of this ambitious program.*

Henry Cuellar

The Honorable Henry Cuellar represents the twenty-eighth district of Texas in the U.S. House of Representatives.

As a lifelong resident of Laredo, Texas, a city with a population of about two hundred thousand that borders the Mexican city of Nuevo Laredo, I grew up understanding the economic impact of a healthy relationship between the United States and our southern neighbor, Mexico. The United States and especially its border cities have come to depend on the billions of dollars that are brought into the United States from trade and tourism. Having a healthy relationship is as vital to our country as a whole as it is to numerous communities along the border.

Because of this, we must do what we can to protect our investments and our future. And as with any investment, we must act quickly when we see matters take a turn for the worse. Over the

past decade, organized criminal activity and cross-border gang violence have escalated to unprecedented levels. Drug trafficking is at an all-time high, with the fight for power between organized syndicates producing a surge of violence that has spilled over onto American soil. The levels of violence on both sides of the border now require urgent action on the part of all nations involved. Our own national security is at stake, as are human lives and economic prosperity. For these reasons, we must support the Mérida Initiative.

The Mérida Initiative is a regional security cooperation pact among the United States, Mexico, and the countries of Central America. Bush has asked for $550 million for the initiative in the supplemental budget request—$500 million of that funding would go to Mexico as the first tranche of what I hope will be a $1.4 billion multiyear security cooperation commitment, and $50 million would go to Central America. In comparison, between 2000 and 2006, U.S. counternarcotics activities totaled $396.6 million.

If Congress approves the Mérida Initiative, the U.S. government will make a significant financial commitment to giving the Mexican government the tools it needs to pursue strategies aggressively to fight cross-border violence and break the backs of the crime syndicates that are crippling the Mexican people, their government, and their economy.

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But let me be very clear. Calderón has staked his political career on reestablishing public security and law and order in Mexico. He is asking not for a handout but for a hand up. To emphasize this, the Mexican government has pledged $2.5 billion to address the issues outlined in the Mérida Initiative. The Mexican Congress has already passed legislation supporting Calderón's efforts to fight drug trafficking and criminal organizations. They have launched aggressive counternarcotics efforts in ten Mexican states; increased pay for military and federal law enforcement agents; and, in cooperation with the United States, extradited eighty-three of Mexico's most hardened criminals to the United States for prosecution.

Again, the Mérida Initiative is not an aid package but a joint cooperative strategy between the two nations. It is a historic initiative designed to combat the threats of drug trafficking, transnational crime, and terrorism in the Western Hemisphere. With this initiative, fears of giving money to the Mexican government without accountability are reduced. With a $2.5 billion investment from the Mexican government to the initiative, Calderón has made his commitment.

Included in the Mérida Initiative are measures for new advanced security equipment and training for Mexican law enforcement, plans for drug demand reduction programs in the United States, new counternarcotics plans and technologies for the southwest U.S. border, and plans to reduce arms trafficking.

Drug trafficking and criminal organizations do not respect physical boundaries, but working with our neighbors, we can confront the problem together. To make the Mérida Initiative work, the U.S. government will maintain oversight and accountability. But most importantly, we must place the value of human life above all politics. We can win this war against drug trafficking and organized crime if we work together to get to the root of the problem.

Robert "Bobby" Charles

Robert "Bobby" Charles is president of the Charles Group, LLC. He was assistant secretary of state for international narcotics and law enforcement affairs from 2003 to 2005.

The United States and Mexico have far more in common than they have to argue about. For a conservative, there is more to celebrate than to criticize in the U.S.-Mexican relationship—and it is time we acted on that belief. While candor is difficult, cloaked resentments over illegal immigration, drug trafficking, and competing sovereignties are more dangerous. Indifference to identifiable threats on our own border, in Mexico, and on Mexico's other borders is not a viable policy.

All it takes for evil to prevail is for good people to do nothing. The Mérida Initiative before Congress right now is—or should be—the tip of the spear. Today, all good news aside, we have a record number of drug overdoses in this country and a spike in violent crime around the nation, much of which is tied to narcotics. Drug use is happily down in some areas but frighteningly high in others. The drug trade is both violent and multinational. The integration of drug money with terrorism and transnational crime groups calls for an integrated response. The answer, in short, is to support leaders and peoples with the political will to protect their own future. Mexico is showing that will with a passion.

The United States has other compelling reasons to support Mexico's effort. Seven million Americans are addicted to illegal narcotics,[2] and many of these narcotics come from or through Mexico. According to the U.S. Centers for Disease Control, roughly nineteen thousand Americans died in 2004 directly from drug abuse—up 68.3 percent since 1999—which is over six times the number of Americans killed on 9/11.[3] The reach and ripple effect of drug trafficking is now not only a significant national security issue, but also a community, family, and personal security issue.

Legalization of drugs is a dead-end street that simply legitimizes the heartrending human destruction that narcotics abuse wreaks, and it creates wider circles of use and addiction, together with a black market that thrives on purer and cheaper narcotics. Contrary to a popular misconception, crimes committed by people on drugs will grow, not shrink, if drugs are legalized because the user population will grow. Drug-related crimes are both street-level and within families—80 percent of domestic abuse is tied to substance abuse. The demand for drugs will also increase with their legalization. The upward spiral in health care costs for a society that legalizes drugs would be incalculable.

That is why strong prevention and treatment, with a commitment over time to neighbors battling this threat—including the robust effort by Mexico right now—are the key to making progress and saving lives. It would be reckless not to act now in this effort, given Calderón's strong commitment.

Let us remember how much we have in common with Mexico culturally. Mexicans are enormously committed to the nuclear family. Both the family and well-defined family roles are significant. There is a lot of traditional America in Mexico, and there is a lot of the Mexican emphasis on family values in rural America. We share a deep commitment to family.

We also share a commitment to faith. Ninety percent of Mexican families identify themselves as practicing Catholics or Christians. Likewise, in the United States, roughly 80 percent of Americans call themselves Christians, according to a 2008 Pew Research Center poll of more than thirty-five thousand Americans.[4] Interestingly, 29 percent of the U.S. Catholic population is Hispanic, and if you look at individual states, particularly along the border, you find that a very high percentage of people hold common values. Seventy-eight percent of the Catholics in California are Hispanic, 73 percent in New Mexico, 80 percent in Arizona, and 80 percent in Texas.

The two cultures have a shared work ethic as well. Roughly 85 percent of American businesses are small businesses, and a similar percentage of Mexican businesses are what one could call small business, with between ten and ninety-nine employees. We share an entrepreneurial spirit, a strong work ethic, and a fondness for family-run businesses. We need to remember that when we are securing a society and working with each other to secure our mutual future, we overlook these common bonds at our mutual peril.

Whether directly or indirectly through its deleterious impact on health care, crime, or education, the reach of drug abuse is wide. The drug issue affects every congressional district in the nation. For reference, 80 percent of the criminals in U.S. prisons today are in one of three categories: people who are drug traffickers, people who have committed a crime while on drugs, or people who have committed a crime to buy drugs. We owe it to ourselves and to Mexico to pass the Mérida Initiative and its components. No member of Congress wants to look back and say, "That was the moment, and we missed it."

Roberta Jacobson

Roberta Jacobson is deputy assistant secretary of state for Canada, Mexico, and NAFTA issues in the Bureau of Western Hemisphere Affairs.

With the Mérida Initiative under consideration by the U.S. Congress, we have the opportunity to build on unprecedented efforts by Mexico and Central America to tackle increasing levels of violence from transnational organizations in the region. The genesis of the Mérida Initiative came from discussions Bush and Calderón had in March 2007 with Berger in Mérida, Mexico. These conversations were the basis for planned efforts in regional

cooperation. The proposed Mérida Initiative is not a traditional foreign assistance package but part of a strategic partnership with Mexico and the Central American countries to support strong efforts by our neighbors, strengthen institutions in Mexico and Central America, and bolster homeland security by impeding transnational criminal activity.

This proposal improves the prospects of real progress against those criminal organizations by building on and complementing the government of Mexico's recent successes. Extraditions from Mexico to the United States for drug crimes continue to break records: there were eighty-three extraditions in 2007 alone. We have also seen an unprecedented level of cocaine seizures, with over forty-eight metric tons seized in Mexico last year. At the same time, the Mexican government is undertaking judicial and police restructuring as long-term goals; these efforts will play a decisive role in going after these organizations. But these efforts have come at a very high price for Mexico, both in financial and human terms. Last year, over 2,600 deaths in Mexico were attributed to narcotics- and criminal-related violence, and over 250 of those killed were security officials, military, and police.

The timing is right to respond to a neighbor, friend, and ally who has requested our support. Such requests do not always come at the best domestic political moments for the United States, but we must be prepared to respond.

The Mérida Initiative will include funding for security efforts in both Mexico and Central America. This money will provide equipment for security forces, technology to improve information sharing, and technical expertise in training in areas like rule of law and institution-building for civilian agencies. It also would integrate programs from Panama all the way through Central America to the U.S. border. These proposed measures are consistent with a larger effort in the Andes for the past seven years to attack the stream of criminal organizations and their work. Given Calderón's own efforts in Mexico, the timing is right to expand on these and respond to a neighbor, friend, and ally who has requested our support. Such requests do not always come at the best domestic political moments for the United States, but we must be prepared to respond.

The package includes three major components: counternarcotics, counterterrorism, and border security; public security and law enforcement; and institution-building and the rule of law. The first component will provide equipment and training for interdiction, inspection, and analysis. This will include helping Mexico secure its borders by improving enforcement, inspection, and data management. We also hope to support improved communications networks; data architecture; and information-sharing for the security forces, both police and military.

The second component—public security and law enforcement—is largely focused on crime prevention and policing. We would like to support Calderón's efforts to create a consolidated and larger national police force through professional training, more effective operations, and information-sharing. Furthermore, we hope to improve the secure communications and data connectivity of those agencies, as well as work on demand-reduction efforts that the Mexican government is undertaking.

The third component—institution-building and strengthening the rule of law—will require working with Mexican institutions to give prosecutors, defense attorneys, court personnel, and police investigators the tools they need to prosecute more effectively in the judicial system. We also hope to support the Mexican government's efforts to create mechanisms to ensure due process and oversight, to respond to civilian complaints, and to ensure full accountability and transparency. All of these proposed elements complement steps that the Mexican and U.S. governments are already taking, and they respect both nations' sovereignty.

Despite the strong emphasis on strengthening security, 60 percent of the funding in the first year will go to Mexican civilian agencies. As Bush has said, we will not be sending armed U.S. soldiers to Mexico. The Mérida Initiative is really an effort to strengthen institutions, fight corruption, and improve human rights. Criminal organizations thrive on weak state institutions, so it is in the best interest of both the United States and Mexico to work together to strengthen institutions on both sides of the border to confront the violence and the debilitating effects that these organizations can have.

Armand Peschard-Sverdrup

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An accurate assessment of the Mérida Initiative should take into account several aspects that may be misunderstood or

overlooked, especially in light of the need to get the support and level of funding from a U.S. Congress that is weary of the unending demand for U.S. aid—not to mention at a time when the U.S. economy seems to be entering a recession and especially in an election year.

The Mérida Initiative is designed to strengthen a wide range of Mexico's security-oriented institutions—such as the Secretariat of Public Security, the Office of the Attorney General, Mexican Customs, and the Mexican Migration Institute—and to professionalize the country's law enforcement personnel. The U.S. Congress runs the risk of getting it wrong if members assume that the initiative deals simply with today's problems and is solely a counternarcotics measure. This initiative focuses on the future and on building the Mexican government's capacity to make sure that potential threats are stopped in Mexico well before they reach U.S. borders or communities. If the U.S. Congress and the American people do not look at the program in this way, precious time will be lost; strengthening institutions does not take place overnight. The initiative will ultimately help ensure the collective security of both nations against future threats.

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The Calderón administration's demonstrated commitment to combating organized crime during its first year in office provides an opportunity for the United States to engage our neighbor in a way that will collectively ensure the future security of both nations. Quite frankly, the priority that the Mexican government has placed on shoring up its security institutions is not new—it is not even an effort that the Calderón administration initiated. In fact, former president Ernesto Zedillo, together with the Mexican Congress, implemented some of the reforms needed for this effort back in the mid-1990s when they created the Deputy Ministry for Public Security and enacted an initial round of judicial reforms. Former president Vicente Fox and the Mexican Congress followed through by implementing additional reforms designed to protect national and public security, among them converting the Deputy Ministry for Public Security into a standalone ministry. Calderón has demonstrated his interest in building on his predecessors' accomplishments by integrating the various federal law enforcement agencies under the unified command and control of the Ministry of Public Security and strengthening the prosecutorial capacity of the Office of the Attorney General. Both measures are aimed at rendering the federal government more effective in combating crime and obtaining indictments, thus strengthening Mexico's culture of rule of law.

One must bear in mind that Mexico is still undergoing its own process of democratic consolidation. Mexico has always enjoyed a very strong executive branch; since 1997, when the Mexican Congress started to become more pluralistic, the legislative branch gradually gained more autonomy and today exhibits true separation of powers. The judiciary is still, relatively speaking, the weakest of Mexico's three branches of government. Over and above the security it gives to both nations, this initiative provides valuable support to a neighbor that is committed to strengthening the government's judiciary and thus its rule of law.

The perception that the United States is encroaching on Mexican sovereignty has always been the Achilles heel of conceptualizing any type of bilateral program, so we must be respectful of Mexico's sensitivities. The Mérida Initiative is far from an encroachment on Mexican sovereignty. In fact, it is fully consistent with Calderón's agenda and therefore should provide additional impetus for him to implement many of the administration's objectives laid out in his National Development Plan for 2006–2012. This initiative is also consistent with the goals set by the Mexican Congress, which approved a 24 percent spending increase in 2007 for security agencies over the amount appropriated in fiscal year 2006. Consequently, it makes perfect sense for the United States to assist Mexico in acquiring the skill sets and technology that are interoperable with those of U.S. agencies so that Mexico can participate in joint operations against common enemies and enhance both countries' national security. Regardless of what may have occurred in the past, both nations must be vigilant and remain aware of future security threats, and that calls for a much closer collaborative relationship between U.S. and Mexican security agencies.

Both countries must recognize that the Mérida Initiative is not a silver bullet. It would be a mistake to think that $1.4 billion will solve Mexico's security problems overnight or that it will achieve the results that are likely to be promised as the initiative makes its way through the U.S. legislative process. It is true that investing in noninvasive technology can help shore up the integrity of cargo

entering and exiting both nations. The technology, however, has to be operational, it has to be well-positioned, and problems with it have to be acted on by officials in each nation. In addition, investing in the professionalization of law enforcement agencies will yield the needed results only if Mexico is successful in recruiting the type of individuals who are genuinely interested in an honorable career in law enforcement as opposed to merely seeing the job as a means to illicit enrichment.

All nations, including Mexico, aspire to provide their citizens the quality of life that comes from possessing a culture of rule of law. Calderón has not only diagnosed the problem of insecurity and impunity accurately, but also—and more importantly—demonstrated the political will to implement the various judicial and security-oriented reforms that are required to meet these goals.

Some major institutional restructuring that has taken place in the United States—from the creation of the Department of Defense in 1947 to the creation of the Department of Homeland Security in 2003—was prompted by compelling events: World War II or the terrorist attacks of September 11, for example. Mexico has yet to experience an event of this magnitude. But Mexico's political leaders, regardless of their party affiliation, are fully aware that they need to push through a sweeping reorganization of Mexico's judiciary and law enforcement apparatus. The Mérida Initiative has the potential to serve as a tipping point for needed judicial and security-oriented reforms.

As the Mérida Initiative is debated in the U.S. Congress, many things are likely to be said, and some grandstanding may take place, particularly during an election year. It is important that the Mexican people realize that this tug of war is a natural part of the relationship between the executive and legislative branches of government and is needed to maintain a system of checks and balances. The U.S. Congress will demand that the Bush administration makes sure that U.S. monies are well spent. Even though talk of conditionality will inevitably cause some in Mexico to complain, "We told you so—here are the imperialists telling us what we should be doing," it is to be hoped that such voices will be in the minority. After all, the Mexican people now have a much more mature relationship between their executive and legislative branches and have acquired an appreciation for the type of debate that will revolve around this initiative.

It is a matter of concern, however, that the Mérida Initiative could fall victim to campaign strategists who see it, along with immigration and U.S.-Mexican border security, as an effective wedge issue as their candidates head into the 2008 presidential and congressional elections—an issue aimed at polarizing the U.S. electorate both between Republicans and Democrats and within each party. This would clearly be the case if the measure were to fail to win congressional approval in the first quarter. One would hope that members of Congress will recognize that the strategic long-term gains to be realized from the initiative far outweigh the short-term electoral gains that could conceivably be achieved among certain segments of the electorate. If Calderón's interest in the Mérida Initiative were to go unanswered, it would take a considerable amount of time to recreate the conditions necessary for the unprecedented level of cooperation that is called for in the Mérida Initiative. The opportunity is there, and failure to approve the program would mark a setback in U.S.-Mexican cooperation at a time when working together is of vital importance for the future security of both nations.

The Mérida Initiative is neither a Republican nor a Democratic issue. It is an initiative that makes strategic sense for the United States, and it is also sound public policy. In fact, the Mérida Initiative builds on many of the U.S.-Mexican bilateral accomplishments of presidents George H. W. Bush and Bill Clinton—and the respective U.S. Congresses during those administrations—and is a natural next step for the current president and Congress.

Ted Brennan

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The proposed Mérida Initiative comes at a critical moment for the United States and Mexico. Drug cartels have virtual control of border towns, and street violence and corruption are rendering many of these communities nearly ungovernable. Regaining control of these towns and cities has become the top priority for Calderón and Bush.

Since Colombia and the Andean Ridge have been the main focus of attention for the last decade, much of the transit zone—Mexico and Central America—has become the soft underbelly of the United States in terms of drug trafficking. While U.S. and Colombian efforts to interdict drugs have been effective, they have been concentrated in Colombia or close to its shores, leaving the transit zone or land bridge open to trafficking. With the

development of Mexican drug syndicates, trafficking through Mexico has quickly become a viable and profitable alternative. A commonly held belief was that once the drugs were in Mexico, they were as good as being in Chicago, Washington, D.C., or Seattle.

Although Plan Colombia has been successful, more work needs to be done. Much of that work could be accomplished by adding a comprehensive plan to interdict narcotics coming from Colombia into Mexico and Central America. The Mérida Initiative is the ideal complement to Plan Colombia.

Mexico is where Colombia was five years ago. Street violence, corruption, and civil unrest in Mexico are bringing that prosperous and democratic nation to its knees. Bush and Calderón proposed the Mérida Initiative to address, cooperatively, the cartels and the institutional weaknesses in Mexico and to combat them and bring them to justice. The initiative would provide equipment, training, and technical support to the Mexican government to handle this festering problem, while ensuring closer cooperation with U.S. law enforcement and other agencies.

Congress recently held three major hearings on the Mérida Initiative. While the members generally seem to support the plan, both Republicans and Democrats voiced their dismay that the three-year $1.4 billion plan was developed by the Bush administration without seeking congressional input or even notification. Others wanted reassurance that proper training and vetting of Mexican authorities would be conducted in order to secure human rights, labor rights, and U.S. resolve to stop gun smuggling into Mexico.

Overall, it appears likely that the Mérida Initiative will be attached to the Iraq and Afghanistan war supplemental. Despite the concern of some in Congress over the plan, passage of the Mérida Initiative is very likely. One staff member even went as far as predicting three hundred votes in its favor. Members representing border states have already voiced their strong support for this initiative and have engaged House leadership to urge its passage. In the end, Congress will support this program as part of a comprehensive strategy to fight terror, drug trafficking, and corruption, while promoting the rule of law in Mexico and Central America. Like Plan Colombia, its success will depend on close cooperation, communication, and consistent support and assistance from Congress. It will succeed as long as the political will remains strong in the United States, Mexico, and Central America.

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AEI visiting scholar Roger F. Noriega, research assistant Megan L. Davy, and editorial assistant Christy Hall Robinson worked with the authors to edit and produce this Latin American Outlook.

Notes

1. President Bush's 2007 National Drug Control Strategy cited twenty-five thousand deaths and this economic impact in 2002. (Office of National Drug Control Policy, *National Drug Control Strategy* [February 2007], available at www.whitehousedrugpolicy.gov/publications/policy/ndcs07/ndcs07.pdf [accessed February 29, 2008].) The Drug Enforcement Agency's chief of intelligence, Anthony P. Placido, citing the Centers for Disease Control, placed the number of drug-related deaths at thirty-four thousand in 2005 in testimony on February 7, 2008, before the House Foreign Affairs Committee.

2. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, *Results from the 2006 National Survey on Drug Use and Health: National Findings* (Rockville, MD: Office of Applied Studies, 2007), available at www.oas.samhsa.gov/nsduh/2k6nsduh/ 2k6results.pdf (accessed February 29, 2008).

3. Centers for Disease Control and Prevention, "Unintentional Poisoning Deaths—United States, 1999–2004," *Morbidity and Mortality Weekly Report* 56, no. 5, available at www.cdc.gov/mmwr/preview/mmwrhtml/mm5605a1.htm (accessed February 27, 2008).

4. Pew Forum on Religion and Public Life, *U.S. Religious Landscape Survey 2008* (Washington, DC: Pew Research Center, 2008), available at http://religions.pewforum.org/pdf/report-religious-landscape-study-full.pdf (accessed February 27, 2008).